

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL GRIFFIN,

Defendant.

Case No. CR05-439JCC

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

INTRODUCTION

I conducted a hearing on alleged violations of probation in this case on December 23, 2015. The United States was represented by Andrew Friedman, and defendant was represented by Kyana Givens. The proceedings were electronically recorded.

CONVICTION AND SENTENCE

Defendant had been convicted of bank robbery on or about February 24, 2006. The Hon. John C. Coughenour of this court sentenced defendant to 120 months of confinement, followed by three years of supervised release. Defendant began his term of supervised release on August 22, 2014.

1 PRIOR ALLEGATIONS OF VIOLATIONS

2 On prior occasions during 2015, the U.S. Probation Office has reported to the court that
3 defendant consumed marijuana (three occasions), oxycodone, alcohol and cocaine, and failed to
4 make restitution payments as required. The court continued supervised release, but imposed
5 various additional conditions of supervision.
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7 PRESENTLY ALLEGED VIOLATIONS AND DEFENDANT'S ADMISSIONS

8 In an application dated December 3, 2015, USPO Blake Gjefle alleged that defendant
9 violated the conditions of supervised release in three respects:

- 10 (1) Consuming alcohol, on or before October 13, 2015
11 (2) Consuming cocaine, on or before October 28, 2015, and November 5, 2015; and
12 (3) Consuming marijuana on or before October 28, November 4 and November 9, 2015
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14 At an initial hearing on December 23, 2015, I advised defendant as to these charges and
15 as to his constitutional rights. Defendant admitted each of the three alleged violations,
16 waived any hearing as to whether they occurred, and consented to having the matter set
17 for a disposition hearing before Judge Coughenour
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19 RECOMMENDED FINDINGS AND CONCLUSIONS

20 Based upon the foregoing, I recommend the court find that defendant has violated the
21 conditions of his supervised release in the three respects alleged, and conduct a
22 disposition hearing. That hearing has been set for January 8, 2016 at 9:00 a.m..
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1 Defendant appeared at his initial appearance pursuant to a summons. Pursuant to the
2 stipulation of the parties, defendant has been release on his personal recognizance,
3 pending the disposition hearing. All of the conditions of his supervised release have been
4 incorporated as conditions of his bond.

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6 DATED this 23rd day of December, 2015.

7 /s/JOHN L. WEINBERG
8 JOHN L. WEINBERG
9 United States Magistrate Judge
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